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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

KEN-WEN FAMILY LIMITED PARTNERSHIP;
KENNETH W. BROWN, in his capacity as a
General Partner of the Ken-Wen Family Limited
Partnership; and WENDY BROWN,

Defendants.

Adv. Pro. No. 10-04468 (SMB)

FIFTH CASE MANAGEMENT NOTICE

PLEASE TAKE NOTICE that on October 28, 2015, pursuant to the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) [Dkt. No. 3141] entered by the Bankruptcy Court in the above-captioned SIPA liquidation, Adv. Pro. No. 08-01789 (SMB), on November 10, 2010, a Case Management Notice (the “First Case Management Notice”) was filed in the above-captioned adversary proceeding (the “Adversary Proceeding”).

PLEASE TAKE FURTHER NOTICE that, on January 13, 2016, an amended Case Management Notice (the “Second Case Management Notice”) was filed in the Adversary Proceeding.

PLEASE TAKE FURTHER NOTICE that, on May 4, 2017, an amended Case Management Notice (the “Third Case Management Notice”) was filed in the Adversary Proceeding.

PLEASE TAKE FURTHER NOTICE that, on October 18, 2017, an amended Case Management Notice (the “Fourth Case Management Notice”) was filed in the Adversary Proceeding.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, the parties to the Adversary Proceeding, by and through their counsel, have agreed to an amendment to the dates set forth in the Fourth Case Management Notice and that the following deadlines are hereby made applicable to the Adversary Proceeding:

1. Fact Discovery shall be completed by: August 7, 2018
2. The Disclosure of Case-in-Chief Experts shall be due: October 25, 2018
3. The Disclosure of Rebuttal Experts shall be due: December 27, 2018
4. The Deadline for Completion of Expert Discovery shall be: January 29, 2019

5. The Deadline for Service of a Notice of Mediation Referral shall be: On or before February 5, 2019.
6. The Deadline to Choose a Mediator and File a Notice of Mediator Selection shall be: On or before February 19, 2019.
7. The Deadline for Conclusion of Mediation shall be: On or before June 17, 2019.

If Defendant Kenneth W. Brown files a motion to dismiss the amended complaint in this matter (the “Motion”), the parties to the Adversary Proceeding agree that all deadlines set forth herein will be stayed pending disposition of the Motion. To the extent necessary, upon the Court’s decision on the Motion, the parties will negotiate an amended Case Management Order.

Dated: March 6, 2018

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

By: /s/ Matthew B. Lunn
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